

REMARKS:

Claims 1-6, 8-13 and 15-41 were pending in the application. Claims 23-41 have been canceled. Therefore, claims 1-6, 8-13 and 15-22 are now pending in this application.

Restriction Requirement

The Examiner has withdrawn newly added claims 23-41. Applicant has canceled these claims in the present response.

Drawing Objections

The Examiner objected to Figs. 1-2 and 4-5 under 37 C.F.R. § 1.83(a). Applicant traverses this objection. The Examiner appears to object to the fact that components 12, 18, 14, 24, 26, and 28 are not labeled (unlike components 22, 30, 32, and 34). The Examiner notes: “Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing” (citing MPEP § 608.02(d)).

Applicant submits that this is not a question of a detail not being shown in a drawing, as the Examiner is objecting to features currently found in Figs. 1-2 and 4-5. Accordingly, the above-quoted portion of the MPEP is inapplicable to the present drawings. Neither Rule 1.83 or the MPEP require text for each feature in a figure. Applicant notes that the specification identifies each of the objected-to features: reference numeral 12 (disk), 14 (disk controller), 18 (progressively-encoded video file), 24 (frame), 26 (small fraction of frame), and 28 (greater fraction of frame). *See* Published Specification at [0027], [0028], [0033].

Applicant has, however, submitted an amended Fig. 1 that adds reference numerals 10 and 16.

Section 103 Rejections

The Examiner rejected all of the pending independent claims under U.S.C. § 103 based on Bannai, U.S. Patent Number 5,412,486, in view of Kazumasa, J.P. Patent Number 10-066014. Applicant traverses these rejections, and submits the claims are patentably distinct over the proposed combination of references.

The Examiner acknowledges that Bannai fails to disclose “fetching dynamically-determined extents of the corresponding frame data.” See Office Action at 5. To remedy this deficiency, the Examiner alleges that the Kazumasa teaches such a feature, because Kazumasa “reads out the images fetched into the frame memory 4 in real time.” See Office Action at 5 and Kazumasa (Abstract). Applicant notes that “real time” fetching does not teach or suggest “fetching dynamically-determined *extents* of the corresponding frame data” as in claim 1. Stated another way, while Kazumasa fetches frames in real time, it does not dynamically determine an “extent” of the “frame data” to fetch, as in claim 1. Kazumasa appears to always fetch an entire frame. See Kazumasa (Abstract and ¶ [0010]) (Kazumasa “reads out the images fetched into the frame memory 4,” where frame memory 4 “stores the digital video signal for one frame (picture element data)”). As such, Kazumasa does not teach extent determination, let alone “dynamic[]” extent determination as in claim 1. Accordingly, even if Bannai and Kazumasa were combined in the manner suggested by the Examiner, the proposed combination would not include each and every feature of claim 1. The Examiner has not established a *prima facie* case of obviousness. For at least these reasons, claim 1 and its dependent claims are believed to be patentably distinct over the cited references, and thus in condition for allowance. Independent claims 8 and 16 are believed to be patentably distinct over Bannai (along with their respective dependent claims) for at least reasons similar to those provided above in support of claim 1.

Dependent claim 5 is believed to be further patentably distinct over the cited references, as neither reference teaches or suggests “detect[ing] of a pause in displaying of the video stream.” Thus, it follows that neither reference can be said to teach or suggest the “fetch[ing] additional portions of the frame data for a currently displayed frame” “in response to detection of a pause in displaying of the video stream.” The Examiner alleges that Bannai discloses such a feature by pointing to a section of Bannai that describes how “a summary of received images is then output from the printer device 30.” See Office Action at 5 and Bannai 8:62-9:23. Applicant respectfully submits that this passage does not establish a *prima facie* case of obviousness for claim 5. For at least these reasons, claim 5 is further patentably distinct over the cited references.

CONCLUSION:

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-63700/DMM.

Respectfully submitted,

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